

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 ANTONIO WHEELER,

4 Plaintiff

5 v.

6 MARSHALS POLICE DEPARTMENT, et
7 al.,

8 Defendants

Case No.: 2:24-cv-00788-APG-BNW

**Order Accepting Report and
Recommendation and Setting Deadline for
Amended Complaint**

[ECF No. 16]

9 On January 31, 2025, Magistrate Judge Weksler recommended that plaintiff Antonio
10 Wheeler's complaint be dismissed with leave to amend by March 3, 2025. ECF No. 16. Wheeler
11 did not object. Thus, I am not obligated to conduct a de novo review of the report and
12 recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo
13 determination of those portions of the report or specified proposed findings to which objection is
14 made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the
15 district judge must review the magistrate judge's findings and recommendations de novo *if*
16 *objection is made*, but not otherwise" (emphasis in original)).

17 I THEREFORE ORDER that Magistrate Judge Weksler's report and recommendation
18 (ECF No. 16) is accepted, and plaintiff Antonio Wheeler's complaint (ECF No. 1-1) is dismissed
19 without prejudice.

20 I FURTHER ORDER that the deadline for plaintiff Antonio Wheeler to file an amended
21 complaint is March 3, 2025.

22 DATED this 20th day of February, 2025.

23 
ANDREW P. GORDON
CHIEF UNITED STATES DISTRICT JUDGE